

REMARKS

After the foregoing Amendment, claims 12 and 15-18 are currently pending in this application. Claim 12 has been amended. Claims 1-11, 13, 14 and 16 have been canceled without prejudice or disclaimer. No new matter is introduced herein.

Claim Rejections - 35 USC §103(a)

Claims 12-18 stand rejected under 35 U.S.C. § 103(a) as obvious over Parker (U.S. Patent No. 6,124,799), Telia (WO 98/57511) and Link, II et al. (U.S. Patent No. 6,550,010). Claims 13, 14 and 16 have been canceled and, therefore, the rejection of these claims is now moot. With respect to claims 12, 15 and 17-18, Applicants respectfully submit that they are patentable over these references for at least the reasons set forth below.

Applicants' claim 12 recites in part:

the mobile terminal transmitting to the telephone number via the services of the mobile services provider an unlocking request including the identification number and requesting that the manufacturer transmit to the mobile terminal unlocking information that will enable the mobile terminal to unlock itself so that it is no longer locked to the services of the mobile services provider, the unlocking request being transparent to the mobile services provider.

(Emphasis added).

The Examiner argues that Parker (figure 4, item 106 and column 8) teaches transmitting an unlocking request via the services of the mobile services provider, the unlocking request being transparent to the mobile services provider. Column 8

of Parker, however, describes the handset placing a call, which is forwarded to a customer service center via a base station. Parker does not disclose that a call with an unlocking request is sent to the customer service center that is sent via the mobile service provider's services and is transparent to the mobile services provider. To the contrary, in column 7, Parker describes that the locking values "should be delivered by the manufacturer directly to the controlling operator." Parker, col. 7, lines 32-33. Thus, the request in Parker is actually handled by the mobile services provider and, therefore, is certainly not transparent to the mobile services provider.

Telia discloses a system that enables a mobile services provider to automatically disseminate keys that activate a mobile telephone to the services of that mobile services provider. Link II discloses a method for unlocking a mobile telephone. Neither reference discloses or suggests a mobile telephone transmitting a unlocking request via the services of a mobile services provider where the unlocking request is transparent to the mobile services provider. Thus, neither reference makes up for the deficiencies of Parker, as set forth above.

Accordingly, for at least the reasons set forth above, claim 12 is patentable over any combination of Parker, Telia and Link II.

Claims 15 and 17-18 include all features of patentable claim 12 and, therefore, are also patentable over any combination of Parker, Telia and Link for at least the same reasons as claim 12.

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Based at least on the arguments presented above, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections of claims 12, 15 and 17-18.

Conclusion

If the Examiner believes that any additional minor formal matters must be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, the present application is in condition for allowance, and Applicants respectfully request a notice to that effect.

Respectfully submitted,

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